

1 BARRY J. PORTMAN
2 Federal Public Defender
3 ANGELA M. HANSEN
4 Assistant Federal Public Defender
5 160 West Santa Clara Street, Suite 575
6 San Jose, CA 95113
7 Telephone: (408) 291-7753

8 Counsel for Defendant JAY DAVID HEMM

9

10 7 IN THE UNITED STATES DISTRICT COURT
11 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 9 *E-FILED - 3/9/06*

13 10 UNITED STATES OF AMERICA,) No. CR-05-00559-RMW
14 11 v. Plaintiff,) STIPULATION AND
15 12) ORDER TO CONTINUE STATUS
13 13) HEARING
14 14 JAY DAVID HEMM)
15 15 Defendant.)
16 _____)

17 16 Defendant, Jay David Hemm, through his counsel, Assistant Federal Public Defender
18 17 Angela M. Hansen, and government counsel, Assistant United States Attorney Gary G. Fry,
19 18 stipulate and agree to continue the status hearing date of March 6, 2006 to March 20, 2006 at
20 19 9:00 a.m.

21 20 The parties have reached a preliminary agreement in this case. The parties request a
22 21 two-week continuance because Government counsel needs time to have the agreement approved
23 22 by his office, and counsel for Mr. Hemm needs additional time to discuss the proposed
24 23 agreement with her client. For these reasons, the parties stipulate and agree to continue this case
25 24 until March 20, 2006. Additionally, counsel for Mr. Hemm is unavailable on March 13, 2006.

26 25 The parties further stipulate and agree that time should continue to be excluded under
27 26 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) because the ends of justice served by the continuance
28 27 requested outweigh the best interest of the defendant and the public in a speedy trial because the

1 failure to grant such a continuance would unreasonably deny Mr. Hemm continuity of counsel
2 and the time necessary for effective preparation.

3

4 March 6, 2006

5 ANGELA M. HANSEN
6 Assistant Federal Public Defender

7

8 March 6, 2006

9 GARY G. FRY
10 Assistant United States Attorney

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. CR-05-00559-RMW
Plaintiff,)
v.) **ORDER TO
CONTINUE STATUS HEARING**
JAY DAVID HEMM)
Defendant.)

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the status hearing date of March 6, 2006 is continued until March 20, 2006 at 9:00 a.m. It is FURTHER ORDERED that time will continue to be excluded under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for continuity of counsel and for defense preparation.

Dated: March 9, 2006

/S/ RONALD M. WHYTE
HONORABLE RONALD M. WHYTE
United States District Judge

1 Distribute to:

2
3 Ms. Angela M. Hansen
Assistant Federal Public Defender
160 West Santa Clara Street, Suite 575
4 San Jose, CA 95113
Counsel for Defendant

5 Mr. Gary Fry
6 Assistant United States Attorney
150 Almaden Blvd., Suite 900
7 San Jose, CA 95113
Counsel for the United States

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26